

## **REMARKS**

Claims 1-17 remain pending in the present application. Claims 1, 7 and 8 have been amended. Claims 15-17 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-5, 7-12 and 14 are rejected under 35 U.S.C. § 102(e) as being anticipated by Murray, et al. (U.S. Pat. No. 6,546,101, hereinafter "Murray"). Applicant respectfully traverses this rejection.

The wireless communication system and the telephone defined in amended independent Claims 1 and 7, respectively, can be used in a full duplex communication and in a half duplex communication. In the full duplex communication, data may be transmitted in both directions simultaneously (page 5, lines 3-4). On the other hand, in the half duplex communication, half-duplex transmissions occur in only one direction at any given point in time (page 1, lines 19-20).

The system determines whether the current operation is in the full duplex communication or in the half duplex communication. When the operation is in the half duplex communication, the system monitors the channel for incoming data. The system also decides whether any incoming data is being received. Then, the system provides a first indication based on the decision.

The prior art, Murray (U.S. Pat. No. 6,546,101) discloses a cellular phone having a duplex communication through the cellular mode and a simplex communication through the dispatch mode. The cellular phone has indicators indicting either the duplex

communication or the simplex communication mode of operation (column 2, lines 12-38). Accordingly, the user can distinguish between the duplex communication and the simplex communication (column 3, line 12 through column 4, line 2).

Murray, however, does not disclose half duplex communication. Murray merely discloses that the current mode can be distinguished by the indicator.

On the other hand, in the present invention, the system distinguishes whether the incoming data is being received during the half duplex communication, not the communication mode. Then, a first indication is provided by an indicator.

As described above, data can be transmitted in only one direction at a specific time during the half duplex communication. The simplex communication, which is described in Murray, is different from the half duplex communication. In the simplex communication, data is transmitted in only one direction all the time. Thus, there is no need to indicate whether the data is being received in Murray.

Thus, Applicants believe Claims 1 and 7, as amended, patentably distinguish over the art of record. Likewise, Claims 2-5, 8-12 and 14, which ultimately depend from Claims 1 or 7, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 6 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Murray, et al. (U.S. Pat. No. 6,546,101, hereinafter "Murray") in view of Son, et al. (U.S. Pat. No. 6,212,408, hereinafter "Son"). Claims 6 and 13 ultimately depend from Claims 1 and 7, respectively. As stated above, Claims 1 and 7 have been amended

and are now believed to patentably distinguish over the art of record. Thus, Claims 6 and 13 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **NEW CLAIMS**

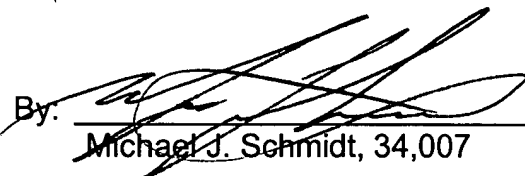
New Claims 15-17 are dependent claims that ultimately depend from Claim 1 or Claim 7 and are believed to properly further limit their base claim.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: April 7, 2005

By:   
Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MJS/pmg